

klYoung Cho  
Attorney at Law: 189870  
Law Offices of Lawrence D. Rohlfing  
12631 East Imperial Highway, Suite C-115  
Santa Fe Springs, CA 90670  
Tel.: (562)868-5886  
Fax: (562)868-5491  
E-mail rohlfling.office@rohlflinglaw.com

Attorneys for Plaintiff Denise Anne Harris

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DENISE ANNE HARRIS,	)	Case No:
	)	
Plaintiff,	)	COMPLAINT FOR REVIEW OF
	)	FINAL DECISION OF THE
vs.	)	COMMISSIONER OF SOCIAL
	)	SECURITY
CAROLYN W. COLVIN, Acting	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

Plaintiff Denise Anne Harris hereby alleges a claim for relief as follows:

1. Denise Anne Harris is a competent adult residing within the jurisdictional boundaries of this Court at Santa Rosa, CA.

2. Plaintiff's Social Security Number is XXX-XX-6743.

3. This action arises under the provisions of the Social Security Act, Title II. This court has jurisdiction to review the decision of defendant herein pursuant to 42 U.S.C. § 405(g).

4. The Social Security Act provides that an individual should be considered disabled if that person is unable to engage in any substantial gainful activity by

1 reason of any medically determinable physical or mental impairment which can be  
2 expected to result in death or which has lasted or can be expected to last for a  
3 continuous period of not less than twelve months.

4 5. Denise Anne Harris is, and at all times relevant to this action, disabled as  
5 that term is defined in the Social Security Act.

6 6. Denise Anne Harris filed an application for disability insurance benefits  
7 alleging disability in accordance with the legal requirements of the Social Security  
8 Act. The Commissioner denied the applications initially and upon reconsideration.

9 7. Denise Anne Harris timely requested and participated in a hearing before  
10 an administrative law judge. The ALJ issued a decision denying plaintiff's claim  
11 for benefits.

12 8. Denise Anne Harris timely filed a request for review of the ALJ's  
13 decision with the Appeals Council. On June 17, 2014, the Appeals Council denied  
14 the request for review, at which time the ALJ's decision became the final decision  
15 of the Commissioner. On August 18, 2014, plaintiff's counsel requested a 30 day  
16 extension of time in which to commence a civil action, Exhibit 1

17 9. Pursuant to Social Security Act, Denise Anne Harris files this action to  
18 seek judicial review of the Commissioner's decision and requests that this court  
19 reverse that decision, or in the alternative, to remand this matter for a new hearing  
20 on the following grounds:

21 (a) There is no substantial medical or vocational evidence in the record to  
22 support the legal conclusion of plaintiff is not disabled within the meaning of the  
23 Act;

24 (b) There is no substantial evidence in the record to support the  
25 Commissioner's finding that plaintiff could perform any substantial gainful  
26 activity;

1 (c) The evidence in the record supports only the finding that plaintiff is  
2 disabled and has been continuously disabled as that term is defined in the Social  
3 Security Act at all times relevant to plaintiff's application;

4 (d) New and material evidence for which good cause exists for failure to  
5 submit earlier exists and warrants a remand of this matter for further proceedings.

6 WHEREFORE, plaintiff Denise Anne Harris prays for judgment against the  
7 Commissioner of Social Security as follows:

8 1. That this court reverse and set aside the decision of defendant denying  
9 Denise Anne Harris's claim for disability benefits;

10 2. That this court find that plaintiff Denise Anne Harris has been disabled at  
11 all times relevant to the application for a period of disability and disability  
12 insurance benefits;

13 3. In the alternative, that this court remand the matter for a new hearing or  
14 new proceedings as appropriate;

15 4. For all costs of suit incurred herein;

16 5. For reasonable attorney's fees under the Equal Access to Justice Act; and

17 6. For such other and further relief as the court may deem just and proper.

18 DATE: August 13, 2014

Respectfully submitted,

19 LAW OFFICES OF LAWRENCE D. ROHLFING

20 /s/ *Young Cho*

21 BY: \_\_\_\_\_

Young Cho

22 Attorney for plaintiff DENISE ANNE HARRIS  
23  
24  
25  
26

LAW OFFICES OF  
LAWRENCE D. ROHLFING

---

---

FACSIMILE TRANSMITTAL SHEET

---

---

TO:	FROM:
Appeals Council, Branch 3	Young Cho
COMPANY:	DATE:
	August 18, 2014
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703)605-7011	Pages 2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:
Denise Anne Harris	-6743

---

---

☒ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

---

---

NOTES/COMMENTS:

.  
Copy to Dan McCaskell by fax.

1)  
2)

Date/Time: Aug. 18. 2014 7:10PM

File	No. Mode	Destination	Pg(s)	Result	Page Not Sent
6125 LAN-Fax Transmission	17036057011		P. 2	OK	

Reason for error  
E. 1) Hang up or line fail  
E. 2) Busy  
E. 3) No answer  
E. 4) No facsimile connection  
E. 5) Exceeded max. E-mail size  
E. 6) Destination does not support IP-Fax

LAW OFFICES OF  
LAWRENCE D. ROHLFING

FACSIMILE TRANSMITTAL SHEET	
TO: Appeals Council, Branch 3	FROM: Young Cho
COMPANY:	DATE: August 18, 2014
FAX NUMBER: (703)605-7011	TOTAL NO. OF PAGES INCLUDING COVER: Pages 2
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Denise Anne Harris	YOUR REFERENCE NUMBER: 6743
<input checked="" type="checkbox"/> URGENT <input type="checkbox"/> FOR REVIEW <input type="checkbox"/> PLEASE COMMENT <input type="checkbox"/> PLEASE REPLY <input type="checkbox"/> PLEASE RECYCLE	

NOTES/COMMENTS:

Copy to Dan McCaskell by fax.

LAWRENCE D. ROHLFING  
MARC V. KALAGIAN

12631 East Imperial Highway, Suite C-115  
Santa Fe Springs, CA 90670

TELEPHONE (562)868-5886  
FACSIMILE (562)868-5491  
E-MAIL [rohlfing.office@rohlfinglaw.com](mailto:rohlfing.office@rohlfinglaw.com)  
<http://www.californiasocialsecurityattorney.com>

Rohlfing & Kalagian, LLP  
211 East Ocean Boulevard, Suite 420  
Long Beach, CA 90802  
TELEPHONE: ((562)437-7006  
FACSIMILE: (562)432-2935  
E-MAIL [rk\\_sslaw@speakeasy.net](mailto:rk_sslaw@speakeasy.net)  
<http://rksslaw.com>

DENISE BOURGEOIS HALEY  
YOUNG CHO  
BRIAN C. SHAPIRO, M.A.  
LAURA LACKEY-KRANK  
STEVEN G. ROSALES  
VIJAY J. PATEL  
MONICA PERALES

August 18, 2014

Law Offices of Lawrence D. Rohlfing  
525 B Street, 15th Floor  
San Diego, California 92101  
TELEPHONE: (619)858-4760  
FACSIMILE: (562) 868-8868

RONALD L. SIEVERS, of counsel  
BARBARA GEDANKE, retired

**PLEASE RESPOND TO  
SANTA FE SPRINGS**

Appeals Council, Branch 3  
Office of Disability Adjudication and Review  
5107 Leesburg Pike, Suite 1305  
Falls Church, VA 22041-3255

**SENT BY FACSIMILE TRANSMISSION TO (703)605-7011**

Re: Denise Anne Harris  
SSN: -6743

Dear Appeals Council, Branch 3:

This letter serves to request a 30 day extension of the time in which to commence a civil action in the United States District Court. Denise Anne Harris needs an extension. Dan McCaskell sent Denise Anne Harris to me. I need to secure papers and declarations to waive fees for my indigent client and I need to secure and review the papers so that I can make an informed filing that complies with the reasonable review required under F.R.Civ.P. Rule 11.

Please grant me an additional time to review and prepare the appropriate documentation. Counsel needs additional time to determine whether an appeal to federal Court is appropriate. Please grant an additional 30 days to submit a civil action with the United States District Court. I enclose a 1696 and retainer agreement.

Very truly yours,  
*Young Cho*  
Young Cho  
Attorney at Law

YC:EP

cc: Denise Anne Harris  
Dan McCaskell (by email)